

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ryan Brooks, Sr.,

Civil No. 16-cv-0267-MJD-KMM

Plaintiff,

v.

**REPORT AND
RECOMMENDATION**

Michelle Skroch, *et al.*,

Defendants.

On June 23, 2016, this court ordered the plaintiff, Ryan Brooks Sr., to show cause why this action should not be dismissed without prejudice for failure to serve the complaint under Federal Rule of Civil Procedure 4(m). (ECF No. 8.) Mr. Brooks has not responded to the court's order. Accordingly, based on all the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED** that this action be dismissed without prejudice pursuant to Federal Rules of Civil Procedure 4(m) and 41(b).

Further, although Mr. Brooks's mailing address is listed in this case as FCI Sandstone, the federal offender locator shows Mr. Brooks as residing at FCI Pekin, 2600 S. Second St., Pekin, IL 61554. The Clerk of Court is hereby directed to mail a copy of this report and recommendation to Mr. Brooks at FCI Pekin as well as at the address listed in CM/ECF.

Dated: August 31, 2016

s/ Katherine Menendez
Katherine Menendez
United States Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set for in LR 72.2(c).

Under Advisement Date: This Report and Recommendation will be considered under advisement 14 days from the date of its filing. If timely objections are filed, this Report and Recommendation will be considered under advisement from the earlier of: (1) 14 days after the objections are filed; or (2) from the date a timely response is filed.